

AMENDMENT UNDER 37 C.F.R. § 1.114  
U.S. Appln. No. 09/831,108

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the application:

**LISTING OF CLAIMS:**

Claim 1. (Cancelled).

Claim 2. (Previously Presented) The method of claim 21 wherein said phosphatase-targeting toxin is produced by algae or by cyanobacteria.

Claim 3. (Previously Presented) The method of claim 21, wherein the phosphatase-targeting toxin is a hepatotoxin or okadaic acid.

Claim 4. (Currently Amended) The method of claim 21, wherein said phosphatase--targeting toxin competes with said second ligand for a limited number of binding sites on said first ligand.

Claim 5. (Previously Presented) The method of claim 21, wherein the proportion of said second ligand present in the bound fraction is indicative of the amount of the phosphatase-targeting toxin in said sample.

Claim 6. (Previously Presented) The method of claim 21, wherein the sample is surface water, water taken from shellfish, water taken from a habitat in which shellfish live, or water taken from domestic water supplies.

Claim 7. (Previously Presented) The method of claim 21, wherein the second ligand is an antibody or antibody fragment.

Claim 8. (Previously Presented) The method of claim 21, wherein the protein phosphatase is protein phosphatase 2A.

Claim 9. (Cancelled).

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Claim 10. (Previously Presented) The method of claim 21 wherein the second ligand carries a reporter moiety.

Claim 11. (Previously Presented) The method of claim 10 wherein the second ligand is a labeled peptide hepatotoxin or labeled okadaic acid.

Claim 12. (Previously Presented) The method of claim 11 wherein the hepatotoxin is nodularin, microcystin LR or microcystin YR.

Claim 13. (Previously Presented) The method of claim 21, wherein the solid support is a dipstick or solid matrix.

Claim 14. (Previously Presented) The method of claim 13 wherein the solid matrix is polymeric or magnetic beads.

Claims 15-20. (Cancelled).

Claim 21. (Currently Amended) A method for determining the presence of a phosphatase-targeting toxin in a sample comprising:

(A) contacting a first ligand, wherein said first ligand is immobilized on a solid support, with:

(i) a sample suspected to contain a phosphatase-targeting toxin, and

(ii) a second ligand,

wherein said first ligand is a protein phosphatase enzyme, and said phosphatase-targeting toxin and said second ligand are ~~is~~ capable of binding said first ligand in a competitive manner, ~~said phosphatase targeting toxin and said second ligand~~;

(B) separating a bound fraction from a non-bound fraction, and

(C) determining the presence-amount of said second ligand in the bound fraction, wherein the amount of said second ligand

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in the bound fraction is indicative of the ~~amount~~presence of said phosphatase targeting toxin in said sample.

Claim 22. (Cancelled).

Claim 23. (Previously Presented) The method of claim 21, wherein said first ligand is indirectly immobilized on the solid support.

Claim 24. (Previously Presented) The method of claim 21, wherein said first ligand is directly immobilized on the solid support.

Claim 25. (Currently Amended) The method of claim 21, wherein the ~~presence~~amount of said second ligand in the bound fraction is determined directly.

Claim 26. (Currently Amended) The method of claim 21, wherein the ~~presence~~amount of said second ligand in the bound fraction is determined indirectly.

Claim 27. (Previously Presented) The method of claim 21, wherein the amount of said second ligand in the bound fraction is inversely related to the amount of the phosphatase-targeting toxin in said sample.

Claims 28-29. (Cancelled).